

HAITI: FACT SHEET

2016 Election

- **President Moïse** [received 32.8% of votes in the first round of the 2015 elections](#) held on October 25, 2015, qualifying for a runoff with the second-place finisher, Jude Célestin.
- Jude Célestin subsequently raised, without evidence, allegations that the votes for President Moïse in the October poll were fraudulent. Violence was instigated by his supporters and in turn [caused the cancellation of the second round](#).
 - These claims emerged despite the Organization of American States, who had ["125 observers from 27 countries present"](#) from the opening of the polls up to the counting of the votes in all 10 departments of the country, visiting 487 voting centers", officially declaring that "in spite of some isolated instances, Haitian citizens with the will to vote were able to cast their ballots."
 - "Schools that serve as election centres and voting stations in various towns have been attacked and set on fire in recent days, and election materials in a border town were hijacked by gunmen" [Haiti cancels presidential election as violence erupts, Associated Press, Jan 23, 2016](#)
- Following the cancellation of the 2015 elections due to the violence, the former head of Haiti's Senate and National Assembly, [Jocelerme Privert, was elected interim president by Parliament following](#) a vote that took nearly 12 hours on February 14, 2016.
- Fresh elections were re-run on November 20, 2016 and overseen by the Provisional Electoral Council (CEP). [President Moïse won 55.6% of the popular vote and was inaugurated on February 7, 2017.](#)
- [The 2017 UN resolution ending MINUSTAH](#), a peacekeeping mission that operated in Haiti for 13 years, cited Haiti's peaceful completion of a long-delayed electoral process and return to constitutional order in February 2017 as a major milestone toward stabilization.
- Regarding the 2016 elections, [a report by the UN Secretary-General](#) highlighted: "The elections of 20 November were held in a largely peaceful and orderly manner, notwithstanding the concomitant post-hurricane challenges. A total of 27 presidential candidates, including 3 women, and 181 parliamentary candidates, including 15 women, participated. National and international observers noted the fairness and transparency of the process, albeit with low turnout (estimated at 21 per cent). Haitian authorities, in particular the Government, the Provisional Electoral Council and the Haitian National Police, were widely commended for their impartial professionalism."
 - The report also noted "The entry into office on 7 February 2017 of the new President, Jovenel Moïse, marked the restoration of constitutional order and the conclusion of the period of the provisional government, which had been

going on for a year under the leadership of Provisional President Jocelerme Privert."

Presidential Term

- [According to Article 134-1 of the Haitian constitution](#), **"The term of the President is five (5) years. This term begins and ends on the February 7 following the date of the elections"**. Considering that fresh **elections were re-run in November 2016**, the tenure of President Moïse, inaugurated on February 7, 2017, will end on February 2, 2022.
- [In May 2020, the OAS stated](#): "The OAS General Secretariat urges all political forces in Haiti to find a cooperative framework in order to **comply with the letter and the spirit of their constitutional order, respecting the five-year presidential term in office. In this context, the term of President Jovenel Moïse ends on February 7, 2022.**"
- [The US State Department reiterated in February 2020](#): "[President Moïse] was sworn into office on February 7, 2017 for a five-year term, which is therefore scheduled to end on February 7, 2022."
- On Friday 5 February, United Nations backed the US position. [UN spokesperson Stephane Dujarric added that U.N. Secretary-General Antonio Guterres](#) was "closely following developments" and was encouraged "by the willingness of many stakeholders to engage constructively in finding agreement on a way forward"
- **While the motion alleges there has been a ruling by Haiti's Superior Council of the Judiciary**, this is false. There has been no formal legal ruling by the collective members of the Council. Instead, individual members of the council voiced their political opinions in an open letter – contrary to domestic and international legal norms.

"Ruling by Decree"

- A deadlocked Haitian parliament failed to pass an electoral law and vote on an election budget – the required first steps for organising the legislative elections which were constitutionally mandated to be held in October 2019. By law, the President has no authority to interfere or force legislatures to meet these duties.
 - [Article 191 of the Constitution](#) makes clear that: "The Permanent Electoral Council is responsible for organizing and controlling with complete independence all electoral procedures throughout the territory of the Republic until the results of the election are announced."
 - [Article 60-1 of the Constitution](#) reiterates that no branch of power, including the executive may 'go beyond the bounds set for them by the Constitution and by law.'
- [The failure to meet this constitutional requirement in the legislative chamber](#) meant as of January 13, 2020, the terms of the entire lower Chamber of Deputies and two-thirds

of the Senate expired (as did the terms of all local government posts), without newly elected officials to take their places or re-elections for office holders. This lapse of election schedule resulting from deadlock triggered the President to begin governing without a legislature – by executive order or “by decree”. This same scenario has occurred for three successive Presidents since 1987.

- The legislature also did not pass a 2019-2020 budget or confirm multiple executive branch appointments before it lapsed. Without a budget, a confirmed prime minister, or a cabinet, pending agreements with donors could not move forward, causing increasing concern that policy could not be effectively developed or implemented. For example, a three-year, [\\$229 million loan with the International Monetary Fund](#) that the government secured in March 2019 expired without being approved.
- In response to a request from the Haitian government for international support, the [OAS sent a high-level delegation to Haiti on June 19, 2019 to help facilitate a national dialogue](#) to overcome this political crisis and identify a pathway to elections.

2021 Election Efforts

- President Moïse has consistently urged all parties to do what is required to get elections funded, scheduled and held, and is working with the U.S., the OAS and the UN for on-ground support and monitoring to ensure free, credible elections.
- In October 2019, a political mission, [the United Nations Integrated Office in Haiti \(BINUH\)](#), replaced MINUJUSTH to help Haiti plan and carry out elections and reinforce the HNP through training on human rights, among other duties.
- On January 7, 2021, the Provisional Electoral Council announced an electoral calendar for 2021 which includes legislative elections and presidential elections in September:
 - **June 27, 2021:** Referendum on the new Constitution (referendum has been postponed due to public health concerns from a resurgence of Covid-19)
 - **September 19, 2021:** First round of presidential and parliamentary elections
 - **November 21, 2021:** Second round of presidential, parliamentary, and local elections
 - **January 22, 2022:** Final election results
- President Moïse has confirmed repeatedly that **he has no intention of running for re-election or supporting any candidates.**
- [President Moïse’s administration has dedicated itself to strengthening Haiti’s democratic institutions](#) to ensure a free and fair election cycle free from intimidation.
 - **\$3.6 billion budget for this year**, including the roll-out of election infrastructure.

- **\$125 million investment in 2021 election cycle** to ensure every Haitian has access to polling stations.
- **Additional \$20 million invested in the Office of National Identity** to strengthen voter registration process – in partnership with leading European firms - making sure no Haitian is denied their right to vote.
- Prioritising voter safety by becoming the **first administration to increase national police budget in 13 years.**
- **\$239 million invested in tackling crime and strengthening safety in communities and polling stations.**
- Strengthen the judiciary to tackle crime and corruption at all levels through a **35% increase in the judiciary's budget.**

Security Concerns

- In response to security concerns, the government has made noticeable headway in revising and bolstering weapons and ammunitions management legislation which, when adopted, will help regulate the import, purchase, and use of firearms in the country.
- The inter-ministerial task force on Community Violence Reduction established by the Government in early April has completed – with BINUH support – its review of the national strategy, a document which aims to inform an integrated response to gang violence and is now going through the approval process.
 - As part of the review, women's community-based organizations in gang affected neighbourhoods were consulted on the draft strategy by the National Commission for Disarmament, Demobilization and Reintegration, with a view to informing the work of the task force and reinforcing women's roles in peacebuilding by ensuring that women are included in community violence reduction programmes from the beginning
- A joint electoral security cell coordinated by the Haitian National Police is working with the Provisional Electoral Council, the United Nations and other national and international partners to ensure Haitians can vote safely. It's work includes:
 - Develop integrated plans to secure 1,559 voting centres
 - joint risk assessment of centres and logistics hubs for electoral materials and assets, in close coordination with UNOPS
 - Peacebuilding Fund project set at \$1.5 million provides assistance through the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and UNDP to prevent electoral violence against women.
 - 7,000 temporary election security officers will be recruited, equipped and paid by the Council and trained with the assistance of the national police.

- Superior Council of the National Police progressively adopted measures to respond to escalating public safety concerns. They included:
 - tightened controls over bank transactions to freeze financial assets of criminal groups
 - strengthened joint police/customs inspections at major seaports and increased oversight of private security companies to stem trafficking in arms.
 - established an anti-kidnapping task force and a hotline to report incidents
 - Working with United Nations police advisers to provide additional expertise in strengthening police intelligence and investigation capacity in anti-gang and violence reduction strategies.

Referendum

- The root of Haiti's problems largely stems from an unworkable constitution that since 1982 has led to an imbalance of power, resulting in cycles of instability. Florida International University once termed the 1987 constitution "a wonderful exercise in theoretical grandiloquence with little relevance to reality".
- In past decades, political leaders across the board have called for constitutional reform to redress the chronic instability, with some referring to it as the **biggest threat to the development of Haiti**.
- The proposed reforms have been developed by an **independent committee made up from legal experts and civil society, with public consultations in Haiti and abroad with diaspora Haitians**.
- While the Haitian Constitution stipulates that 'General elections to amend the Constitution are strictly forbidden', the referendum is not based on amendments to the 1987 constitution, but instead on the adoption of a **new constitution**.
- Among the provisions to be included are;
 - **Voting rights to be expanded** to the diaspora Haitians, with a minimum quota of 5% representation in Parliament.
 - Legal duty to implement a minimum quota of **35% female political representation** at every level of Haiti's political system – which has one of the lowest rates in the world (this was **1 woman out of 118 legislatures** in the previous parliament).
 - **Strengthening of legal institutions** to hold lawmakers and government to account.
 - **Provision to establish a constitution court** to rule on constitutional matters through the rule of law.
 - **Provision to expand power to the younger generations** by lowering the permitted ages to become parliamentarians at 22 and government minister to 25.

- **Opening the private sector by introducing antitrust laws to encourage competition** and divert resources from corrupt monopolies to smaller and medium enterprises.
 - **Removes the immunity from prosecution that Presidents**, legislatures and other officials have benefitted from.
- According to two separate polls, nearly 90% of Haitians were in favour of constitutional change.
- Efforts to include citizens, civil society, international partners and leading experts in the development of the constitution has involved:
 - **A nationwide media campaign** across digital, TV, print and radio, to inform and invite citizens participation.
 - Haitian diplomatic missions leading events across host countries to **engage the views of diaspora communities**
 - Consulted **more than 800 Haitian civil society organisations**.
 - **Consulted members of the public** and over 1500 leading figures across society.
 - **Consultations with international bodies such as the United Nations, Organisation of American States and the US State Department.** While inviting the participation of others who wish to contribute.
 - To allow for more time to register voters, in late February the Council extended the registration period for the constitutional referendum by an additional two months, to 26 April
- By the time that the Council closed the voters' list on 26 April, some 4.4 million Haitians of voting age had been registered. Those among them unable to collect their identification cards will be permitted to vote if they have other valid official photographic identification.
- The continued engagement on the constitutional draft has resulted in many changes being adopted to reflect the views and expertise across the board.
- Even though national authorities have sought to widen consultations on the new draft constitution, the UN Special Representative Helen La Lime recently highlighted the efforts of some opposition figures to exhort the population to resort to violence to disrupt the referendum process, as 'extremely concerning'.

Transitional Government

- The Government remains committed to holding elections by the end of 2021 to renew the political landscape, restore the operation of democratic institutions and ensure a peaceful transition of power in February 2022.

- Haiti has had 15 different transitional Governments between 1986 and 2016 — all of which resulted in total institutional paralysis.

Vaccines

- The government has welcomed its initial vaccine allocation from the COVAX facility and is currently completing preparatory importation steps.

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